

Michael J. Curley

Partner

Michael Curley is a registered patent attorney and intellectual property generalist who focuses on helping clients secure and defend patent and trademark rights.

Michael began his legal career as a patent litigator in Silicon Valley, litigating infringement cases in the Northern District of California, the District of Delaware and other patent heavy jurisdictions. He continued this work after moving home to Tucson in 2007, where developed a particular knowledge in defending clients from non-practicing patent assertion entities or "patent trolls". Michael has managed eighteen *Inter Partes* Review proceedings before the U.S. Patent and Trademark Office's Patent Trial and Appeals Board (PTAB), from petition to final oral argument and through appeal to the Federal Circuit. Michael also prepares and prosecutes patent applications, focusing on inventions relating to optics, solar energy, wireless communications and firearms.

In addition, Michael helps clients build and defend their business brands through trademark clearance, registration, and enforcement. He has recent experience litigating trademark infringement actions in Federal Court and in opposing, cancelling and defending trademark registrations in the Trademark Trial and Appeals Board (TTAB). Michael has taught Trademark Law at the University of Arizona James E. Rogers College of Law since 2012.

In his spare time, Michael enjoys spending time with his wife and two sons. His hobbies include hiking, gardening and target shooting. Michael is a licensed amateur radio operator in the General class, call sign KF7ISZ.

Representative Recent Experience

- Successfully represented both petitioners and patent owners in over a dozen *inter partes* review proceedings before the Patent Trial and Appeal Board of the U.S. Patent and Trademark Office.
- Won multiple IPR appeals at the Federal Circuit.
- Won multiple TTAB judgments on behalf of a major public university defending athletic trademarks.
- Favorably resolved trademark infringement matter on behalf of major public university
- Favorably resolved trademark dispute on behalf of steel body armor manufacturer.
- Developed and executed successful patent portfolio monetization strategy for financial services provider.
- Won dismissal and no-money settlement on behalf of accused infringer targeted by a patent troll.



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- Obtained a favorable claim construction ruling in a chemical patent infringement case, ultimately supporting a successful motion for summary judgment.
- Implemented strategic patent portfolio development strategies for multiple clients.
- Prepared and prosecuted U.S. patent applications and trademark applications.

Representative Cases

- *Ultratec, Inc. v. CaptionCall, LLC* (Fed. Cir.) (successful remand of multiple IPR final written decisions to the PTAB)
- *Arizona Board of Regents v. Scumdevils, LLC* (D. Ariz.) (trademark infringement matter relating to University athletics trademarks)
- *Arizona Board of Regents v. John Vrana*, Trademark Opposition Proceeding No. 91229435 (TTAB) (opposition to mark confusingly similar to athletic trademarks)
- *Ultratec Inc. v. CaptionCall LLC*, IPR 2013-00288 (PTAB) (competitor's patent relating to captioning technology declared invalid)
- *The Target Man LLC v. Armored Republic LLC*, Trademark Cancellation Proceeding No. 91217252 (TTAB) (trademark cancellation proceeding)
- *CTP Innovations, LLC v. F.C.L. Graphics, Inc.* (D. Maryland) (defense of MDL patent troll litigation involving commercial printing technology)
- *Rewards Network Inc. v. Zavee, LLC* (S.D. Fla.) (patent dispute involving the implementation of customer loyalty rewards programs).
- *Surefire, LLC v. Cabela's Incorporation* (C.D. Cal.) (patent infringement and trade dress litigation relating to tactical flashlights)
- *EasyCare, Inc. v. Lander Industries, Inc.* (D. Ariz.) (patent and trademark dispute involving equine hoof boots and internet domain names)
- *International Flora Technologies, Inc. v. Desert Whale Jojoba Company, Inc.* (D. Ariz) (patent dispute involving chemically processed jojoba oil products)

Legal Services

- [Intellectual Property Strategic Counseling](#)
- [Intellectual Property Litigation](#)
- [Patent Litigation](#)
- [Inter Partes Review Proceedings](#)

- Financial Institutions Litigation
- Trade Secrets
- Trade Secrets and Unfair Competition

Education and Honors

- University of California, Berkeley School of Law–Boalt Hall (J.D., *cum laude*, 2003)
- University of Arizona (B.A. and B.S., *cum laude*, 1997)
 - B.A. in Philosophy
 - B.S. in Optical Engineering

Bar Admissions

- Arizona
- California

Court Admissions

- U.S. Patent and Trademark Office
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. District Court, District of Arizona
- U.S. District Court, Southern District of New York
- U.S. District Court, District of Utah

Professional and Civic Activities

- Adjunct Professor of Law, University of Arizona James E. Rogers College of Law, Trademarks and Unfair Competition, Spring 2012
- State Bar of Arizona, Business Law Section (Secretary)

Professional Recognition

- Southern Arizona Legal Aid, Volunteer Lawyers Program Outstanding Pro Bono Attorney (July 2012)
- Selected as a 40 Under 40 honoree by Tucson Hispanic Chamber of Commerce (2012)